

HOUSE BILL No. 1792

DIGEST OF INTRODUCED BILL

Citations Affected: IC 9-13-2-31.5; IC 9-18; IC 9-19-5-5; IC 9-22-1-1; IC 9-24-6-10.5.

Synopsis: Vehicle plates and registration. Authorizes the bureau of motor vehicles to issue a permanent license plate for each vehicle registered to the registered owner of at least 100 commercial vehicles. Authorizes the bureau of motor vehicles to issue a permanent certificate of registration that must be carried at all times in the vehicle for which it is issued, if the registered owner of at least 100 commercial vehicles submits the application of registration for the commercial vehicles on an aggregate basis by electronic means. Provides that rules adopted prescribing that a license plate is valid for five years do not apply to a truck license plate. Deletes the requirement that the registered owner of: (1) a vehicle (other than a bus) having a declared gross weight more than 26,000 pounds; (2) a tractor; or (3) a truck-tractor; who loses a license plate must report the loss to a police department before the bureau of motor vehicles may issue a replacement license plate. Defines "commercial vehicle". Makes conforming amendments.

Effective: Upon passage; July 1, 2001.

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January 17, 2001, read first time and referred to Committee on Roads and Transportation.



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Introduced

First Regular Session 112th General Assembly (2001)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2000 General Assembly.

HOUSE BILL No. 1792

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 9-13-2-31.5 IS ADDED TO THE INDIANA CODE
- 2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 3 1, 2001]: **Sec. 31.5. "Commercial vehicle", for purposes of**
- 4 **IC 9-18-2, has the meaning set forth in IC 9-18-2-0.5.**
- 5 SECTION 2. IC 9-18-2-0.5 IS ADDED TO THE INDIANA CODE
- 6 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 7 1, 2001]: **Sec. 0.5. As used in this chapter, "commercial vehicle"**
- 8 **means a truck, tractor, or truck-tractor.**
- 9 SECTION 3. IC 9-18-2-4.5 IS ADDED TO THE INDIANA CODE
- 10 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 11 1, 2001]: **Sec. 4.5. (a) Upon payment of the annual registration fee**
- 12 **under IC 9-29-5, and any applicable commercial vehicle excise tax**
- 13 **under IC 6-6-5.5, the bureau may issue a permanent license plate**
- 14 **for each vehicle registered to the registered owner of at least one**
- 15 **hundred (100) commercial vehicles. The permanent license plate**
- 16 **for the commercial vehicle may contain the words "no expiration**
- 17 **date". The bureau may issue a tag or sticker that indicates the year**

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for which the vehicle has been registered.

(b) If the registered owner of at least one hundred (100) commercial vehicles submits the application of registration for the commercial vehicles on an aggregate basis by electronic means, the bureau shall issue a permanent certificate of registration that shall be carried at all times in the vehicle for which it is issued.

(c) The permanent registration for a commercial vehicle is void when the registered owner:

(1) sells;

(2) disposes of; or

(3) does not renew the registration of;

the commercial vehicle. Neither the certificate of registration nor the plate may be transferred to another vehicle.

(d) This section does not relieve the owner of the vehicle from payment of any applicable commercial vehicle excise tax under IC 6-6-5.5 on a yearly basis.

(e) The bureau shall adopt rules under IC 4-22-2 necessary to administer this section.

SECTION 4. IC 9-18-2-47 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 47. (a) The commissioner shall adopt rules under IC 4-22-2 prescribing the cycle for the issuance and replacement of license plates under this article. The rules adopted under this section shall provide that a license plate for a vehicle issued under this article is valid for five (5) years.

(b) The rules adopted under this section ~~may~~ do not apply to:

(1) low digit license plates issued under ~~IC 9-18-2-28~~; **section 28 of this chapter**;

(2) personalized license plates issued under IC 9-18-15;

(3) **truck license plates issued under section 33 of this chapter**; and

(4) general assembly and other state official license plates issued under IC 9-18-16.

SECTION 5. IC 9-18-6-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 2. (a) Except as provided in ~~subsection~~ **subsections (b) and (e)**, if a license plate is:

(1) lost;

(2) mutilated; or

(3) destroyed;

the person in whose name the license plate was issued may obtain from the bureau a duplicate or a replacement license plate by filing with the bureau an application on a form provided by the bureau duly sworn to as provided in IC 9-18-2.

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(b) If a license plate for a vehicle other than a vehicle (other than a bus) having a declared gross weight greater than twenty-six thousand (26,000) pounds, a tractor, or a truck-tractor is lost, the bureau may not issue a duplicate or replacement license plate until the person in whose name the plate was issued has first notified:

(1) the Indiana law enforcement agency that has jurisdiction where the loss occurred; or

(2) the law enforcement agency that has jurisdiction over the address listed on the registration; that the original license plate has been lost.

(c) A law enforcement agency to whom a loss is reported under subsection (b) shall complete and present to the person reporting the loss a form provided by the bureau indicating that the loss has been reported.

(d) The person must present the form described under subsection (c) to the bureau before a replacement license plate may be obtained.

(e) If a license plate for a vehicle (other than a bus) having a declared gross weight greater than twenty-six thousand (26,000) pounds, a tractor, or a truck-tractor is lost, mutilated, or destroyed, the person in whose name the plate was issued may notify:

(1) the Indiana law enforcement agency that has jurisdiction where the loss occurred; or

(2) the law enforcement agency that has jurisdiction over the address listed on the registration;

that the original license plate has been lost, mutilated, or destroyed. In order to receive a duplicate or a replacement license plate, the person in whose name the license plate was issued must complete and submit to the bureau an application and affidavit designed by the bureau.

(f) The bureau shall charge a fee for a duplicate or replacement license plate under subsections (b) and (e) as set forth in IC 9-29-5-17.

SECTION 6. IC 9-19-5-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 5. A commercial motor vehicle may be equipped with a theft alarm signal device that cannot be used by the driver as an ordinary warning signal.

SECTION 7. IC 9-22-1-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 1. This chapter does not apply to the following:

(1) A vehicle in operable condition specifically adapted or constructed for operation on privately owned raceways.

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(2) A vehicle stored as the property of a member of the armed forces of the United States who is on active duty assignment.

(3) A vehicle located on a vehicle sale lot or at a commercial **motor** vehicle servicing facility.

(4) A vehicle located upon property licensed or zoned as an automobile scrapyard.

(5) A vehicle registered and licensed under IC 9-18-12 as an antique vehicle.

SECTION 8. IC 9-24-6-10.5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 10.5. (a) Except as provided in subsection (b), and in addition to any other penalty imposed for a violation of this chapter, the court that imposes a judgment for violation of an out-of-service order shall order the person receiving the judgment to be disqualified from driving a commercial **motor** vehicle as follows:

(1) For at least ninety (90) days but not more than one (1) year, if the judgment is the person's first judgment for violation of an out-of-service order.

(2) For at least one (1) year but not more than five (5) years, if the judgment is the person's second judgment for violation of an out-of-service order during any ten (10) year period.

(3) For at least three (3) years but not more than five (5) years, if the person has at least two (2) previous judgments for violation of an out-of-service order during any ten (10) year period.

(b) In addition to any other penalty imposed for a violation of this chapter, the court that imposes a judgment upon a person because the person violated an out-of-service order while the person was transporting a hazardous material or while operating a commercial motor vehicle designed or used to transport more than fifteen (15) passengers, including the driver, shall order the person to be disqualified from driving a commercial **motor** vehicle as follows:

(1) For at least one hundred eighty (180) days but not more than two (2) years, if the judgment is the person's first judgment for violation of an out-of-service order.

(2) For at least three (3) years but not more than five (5) years, if the person has at least one (1) previous judgment for violation of an out-of-service order that arose out of a separate incident during any ten (10) consecutive years.

SECTION 9. [EFFECTIVE UPON PASSAGE] (a) **Notwithstanding IC 9-18-2-47, as amended by this act, the bureau of motor vehicles shall carry out the duties imposed on it under IC 9-18-2-47, as amended by this act, under interim written**

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1 guidelines approved by the commissioner of the bureau of motor
2 vehicles.

3 (b) This SECTION expires on the earlier of the following:

4 (1) The date rules are adopted under IC 9-18-2-47, as
5 amended by this act.

6 (2) December 31, 2001.

7 SECTION 10. An emergency is declared for this act.

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